

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN,

Plaintiff,

v.

2K GAMES, INC. and TAKE-TWO  
INTERACTIVE SOFTWARE, INC. ,

Defendants.

CASE NO. 1:17-cv-02635-CAB

**DEFENDANTS 2K GAMES, INC. AND TAKE-TWO INTERACTIVE  
SOFTWARE, INC.'S MOTION TO EXCLUDE TESTIMONY,  
ARGUMENT OR EVIDENCE REGARDING THE EXPERT  
REPORTS AND OPINIONS OF MICHAL A. MALKIEWICZ**

In accordance with Federal Rule of Evidence 702, Defendants 2K Games, Inc. and Take-Two Interactive Software, Inc. move to exclude certain testimony, argument or evidence regarding the expert report and opinions of Plaintiff James Hayden's expert, Michal A. Malkiewicz.

The reasons for granting this motion are more fully explained in the attached memorandum in support, which is incorporated here by reference.

Dated: New York, New York  
October 25, 2021

/s/ Dale M. Cendali

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